## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE AEGEAN MARINE PETROLEUM NETWORK, INC. SECURITIES LITIGATION	Case No. 1:18-cv-04993 (NRB)  Hon. Naomi Reice Buchwald
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## NOTICE OF LEAD PLAINTIFF'S UNOPPOSED MOTION FOR: (I) PRELIMINARY APPROVAL OF PROPOSED INDIVIDUAL DEFENDANTS SETTLEMENTS; (II) PRELIMINARY CERTIFICATION OF SETTLEMENT CLASS; AND (III) APPROVAL OF NOTICE TO THE SETTLEMENT CLASS

PLEASE TAKE NOTICE that Lead Plaintiff Utah Retirement Systems ("Lead Plaintiff"), on behalf of itself and the proposed Settlement Class, hereby moves this Court before the Honorable Naomi Reice Buchwald, for entry of (i) the Order Preliminarily Approving the Settlement with Spyros Gianniotis and Providing for Notice, which is attached as Exhibit A to the April 21, 2023 Stipulation and Agreement of Settlement with Spyros Gianniotis (the "Gianniotis Stipulation"), and (ii) the Order Preliminarily Approving the Settlement With Dimitris Melissanidis and Providing for Notice, which is attached as Exhibit A to the April 21, 2023 Stipulation and Agreement of Settlement with Dimitris Melissanidis (the "Melissanidis Stipulation"), which seek:

- (a) preliminary approval of the Individual Defendants Settlements;
- (b) preliminary certification of the Settlement Class;
- (c) approval for notice of the Individual Defendants Settlements to the Settlement Class;

<sup>&</sup>lt;sup>1</sup> All capitalized terms not otherwise defined herein have the same meaning as in the Notice of (i) Pendency of Class Action and Proposed Individual Defendants Settlements; and (ii) Final Approval Hearing For The Individual Defendants Settlements, The Individual Defendants Plan of Allocation, and Motion For Approval of Attorneys' Fees and Reimbursement of Litigation Expenses (the "Detailed Notice"). The Detailed Notice is attached as Exhibit A-1 to Gianniotis Stipulation (defined *infra*) and Exhibit A-1 to the Melissanidis Stipulation (defined *infra*).

- appointment of Lead Plaintiff as Class Representative and Lead Counsel as Class Counsel
   for purposes of the Individual Defendants Settlements only;
- (e) approval of the selection of A.B. Data, Ltd. by Lead Counsel as the Claims Administrator;
- (f) scheduling the Final Approval Hearing for the Individual Defendants Settlements; and
- (g) the granting of such other and further relief as the Court deems just and proper (the "Motion").

The proposed Individual Defendants Settlements would resolve and release the claims against Gianniotis, Melissanidis, and other released parties defined in the Individual Defendants Stipulations.

Gianniotis and Melissanidis support the relief requested and will not oppose this motion.

PLEASE TAKE FURTHER NOTICE that, in support of this Motion, Lead Plaintiff submits herewith: (1) Memorandum of Law in Support of Lead Plaintiff's Motion; and (2) the Declaration of Nicole Lavallee in support thereof with exhibits thereto.

Dated: April 21, 2023 Respectfully submitted,

## **BERMAN TABACCO**

By: /s/Nicole Lavallee
Nicole Lavallee (admitted pro hac vice)

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